



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/786,907
Filing Date: February 25, 2004
Applicant: Bogen et al.
Group Art Unit: 1643
Examiner: Lynn Anne Bristol
Title: Modified Antibody
Attorney Docket: 2600-000003

Mail Stop Missing Parts
Commissioner for Patents and Trademarks
P.O. Box 1450
Alexandria, Virginia 22313-1450

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID
SEQUENCE DISCLOSURES**

Sir:

Pursuant to the "Notice to comply with requirements for patent applications containing nucleotide sequence and/or amino acid sequence disclosures" mailed November 11, 2006 in the above identified application, enclosed is a **substitute copy** of the computer readable form (CRF) copy of the "Sequence ID Listing", the contents of which are included herein pursuant to 37 CFR 1.822 and/or 1.823, as well as a copy of the Notice.

Remarks begin on page 2 of this paper.

REMARKS

Applicant's representative hereby provides a substitute copy of the "Sequence Listing". Please enter the enclosed substitute copy of the Sequence Listing into the application following paragraph 00198 on page 40 of the application. No new subject matter has been added.

In addition, submitted herewith is a CD containing the substitute computer readable form of the substitute Sequence Listing for the above-referenced patent application in compliance with the requirements of 37 CFR 1.821, 1.822 and 1.823. The substituted computer readable form includes no new matter.

I hereby state that the substitute Sequence Listing information recorded in computer readable form is identical to the substitute copy of the written (paper version) Sequence Listing being submitted herewith in accordance with 37 C.F.R. 1.821(f) and includes no new matter as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) and 1.825(d).

Respectfully submitted,

Dated: May 7, 2007

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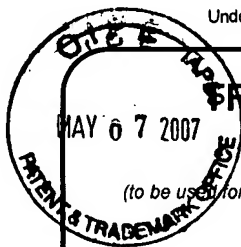
IPW

PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number		10/786,907
Filing Date		February 25, 2004
First Named Inventor		Bogen et al.
Art Unit		1643
Examiner Name		Lynn Bristol
Total Number of Pages in This Submission	Attorney Docket Number	
	2600-000003	

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input checked="" type="checkbox"/> CD, Number of CD(s) 1	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Notice to Comply (2 pages); Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (2 pages); Sequence Listing (10 pages); return receipt postcard
<input type="checkbox"/> Remarks The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	Robert M. Siminski	Reg. No.	36,007
Signature	<i>Robert M. Siminski</i>				
Date	May 7, 2007				

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Robert M. Siminski	Express Mail Label No.	EV 522 877 840 US (5/7/2007)
Signature	<i>Robert M. Siminski</i>	Date	May 7, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EV 522 877 840 US



Notice to Comply	Application No. 10/786,907	Applicant(s) Bogen et al.	
	Examiner Lynn Bristol	Art Unit 1643	
NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES			
<p>Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).</p> <p>The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):</p> <ul style="list-style-type: none"><input checked="" type="checkbox"/> 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).<input type="checkbox"/> 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).<input type="checkbox"/> 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).<input type="checkbox"/> 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."<input type="checkbox"/> 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).<input type="checkbox"/> 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).<input type="checkbox"/> 7. Other: <p>Applicant Must Provide:</p> <ul style="list-style-type: none"><input checked="" type="checkbox"/> An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".<input checked="" type="checkbox"/> An initial or substitute paper copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application.<input checked="" type="checkbox"/> A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d). <p>For questions regarding compliance to these requirements, please contact:</p> <p>For Rules Interpretation, call (703) 308-4216 or (703) 308-2923</p> <p>For CRF Submission Help, call (703) 308-4212 or 308-2923</p> <p>PatentIn Software Program Support</p> <p>Technical Assistance.....703-287-0200</p> <p>To Purchase PatentIn Software.....703-306-2600</p> <p>PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY</p>			

Pursuant to 37 CFR 1.821(c), a sequence identifier must be provided for any amino acid sequences of four or more residues or nucleotide sequences of 10 or more nucleotides. The specification contains the following primer sequences and linker sequence, and for which no sequence listing has been provided:

primers- p. 20, [0049]; p. 21, [0050-0051]; p. 22, [0052]; p. 22-24, [0054]; p. 24, [0056] and p. 39, [00105];

and

linker- [0029] and figures 8-11.